

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DAVID F. EVANS, ET AL.,)	
)	
Plaintiffs)	
)	No. 1:07 CV 739
)	
vs.)	<u>ANSWER</u>
)	
THE CITY OF DURHAM, ET AL.,)	
)	
Defendants)	

The defendant Michael B. Nifong, by his counsel, answering the plaintiff's second amended complaint, alleges and says that:

The allegations of Paragraph 1 of the complaint are admitted.

1. With respect to the allegations of Paragraph 1 of the complaint, to the extent a response is necessary, it is admitted that this appears to be a civil action for damages and injunctive relief under 32 U.S.C. 1983, 42 U.S.C. 1985, 42 U.S.C. 1986, 42 U.S.C. 1988(b) and the common law. Otherwise the allegations of Paragraph 1 are denied.
2. The allegations of Paragraph 2 of the complaint are denied.
3. The allegations of Paragraph 3 of the complaint are denied.
4. The allegations of Paragraph 4 of the complaint are denied.
5. The allegations of Paragraph 5 of the complaint are denied.
6. The allegations of Paragraph 6 of the complaint are admitted.
7. The allegations of Paragraph 7 of the complaint are admitted.
8. The allegations of Paragraph 7 of the complaint are admitted.
9. The allegations of Paragraph of the complaint are admitted.

10. The allegations of Paragraph 10 of the complaint are admitted.
11. The allegations of Paragraph 11 of the complaint are admitted.
12. The allegations of Paragraph 12 of the complaint are admitted.
13. The allegations of Paragraph 13 of the complaint are admitted.
14. The allegations of Paragraph 14 of the complaint are admitted.
15. The allegations of Paragraph 15 of the complaint are admitted, except that it is denied that this defendant “also directed the Durham Police Department’s factual investigation of the allegations regarding the Duke lacrosse team, and in that capacity served in a supervisory and/or policymaking role for the Durham Police Department with respect to this investigation.”
16. The allegations of Paragraph 16 of the complaint are admitted.
17. The allegations of Paragraph 17 of the complaint is admitted.
18. The allegations of Paragraph 18 of the complaint are admitted.
19. The allegations of Paragraph 19 of the complaint are admitted.
20. The allegations of Paragraph 20 of the complaint are admitted.
21. The allegations of Paragraph 21 of the complaint are admitted.
22. The allegations of Paragraph 22 of the complaint are admitted.
23. The allegations of Paragraph 23 of the complaint are admitted.
24. The allegations of Paragraph 24 of the complaint are admitted.
25. The allegations of Paragraph 25 of the complaint are admitted.
26. The allegations of Paragraph 26 of the complaint require no response.

27. The allegations of Paragraph 27 of the complaint are admitted.
28. The allegations of Paragraph 28 of the complaint are admitted.
29. The allegations of Paragraph 29 of the complaint are admitted.
30. The allegations of Paragraph 30 of the complaint are admitted.
31. The allegations of Paragraph 31 of the complaint are admitted.
32. The allegations of Paragraph 32 of the complaint are admitted.
33. The allegations of Paragraph 33 of the complaint, which only repeat a portion of the allegations of Paragraph 1 are admitted.
34. The allegations of Paragraph 34 of the complaint are admitted.
35. The allegations of Paragraph 35 of the complaint are admitted.
36. The allegations of Paragraph 36 of the complaint are admitted, although pleading as to venue is unnecessary.
37. The allegations of Paragraph 37 of the complaint are admitted.
38. The allegations of Paragraph 38 of the complaint are admitted.
39. The allegations of Paragraph 39 of the complaint are admitted.
40. The allegations of Paragraph 40 of the complaint are admitted.
41. The allegations of Paragraph 41 of the complaint are denied, for lack of information and belief.
42. The allegations of Paragraph 42 of the complaint are denied, for lack of information and belief.
43. The allegations of Paragraph 43 of the complaint are denied, for lack of information and belief.

44. The allegations of Paragraph 44 of the complaint are denied, for lack of information and belief.
45. The allegations of Paragraph 45 of the complaint are admitted.
46. With respect to the allegations of Paragraph 46 of the complaint, it is denied, for lack of information or belief, that “Because Mangum was pretending to be unconscious, Sergeant Shelton could not take her home or put her in jail.”
47. The allegations of Paragraph 47 of the complaint are denied, for lack of information and belief.
48. The allegations of Paragraph 48 of the complaint are admitted.
49. The allegations of Paragraph 49 of the complaint are admitted.
50. The allegations of Paragraph 50 of the complaint are denied, for lack of information and belief.
51. The allegations of Paragraph 51 of the complaint are denied, for lack of information and belief.
52. The allegations of Paragraph 52 of the complaint are denied, for lack of information and belief.
53. The allegations of Paragraph 53 of the complaint are denied, for lack of information and belief.
54. The allegations of Paragraph 54 of the complaint are denied.
55. The allegations of Paragraph 55 of the complaint are denied, for lack of information and belief.

56. The allegations of Paragraph 56 of the complaint are denied as to this defendant. As to the other named defendants, the allegations are denied for lack of information and belief.
57. The allegations of Paragraph 57 of the complaint are denied.
58. The allegations of Paragraph 58 of the complaint are denied.
59. The allegations of Paragraph 59 of the complaint are denied.
60. The allegations of Paragraph 60 of the complaint are denied.
61. With respect to the allegations of Paragraph 61 of the complaint, the allegations in the first sentence are admitted, while the allegations in the second sentence are denied for lack of information and belief.
62. The allegations of Paragraph 62 of the complaint are denied, for lack of information and belief.
63. The allegations of Paragraph 63 of the complaint are denied, for lack of information and belief.
64. The allegations of Paragraph 64 of the complaint are denied, for lack of information and belief.
65. The allegations of Paragraph 65 of the complaint are denied, for lack of information and belief.
66. The allegations of Paragraph 66 of the complaint are denied.
67. The allegations of Paragraph 67 of the complaint are denied.
68. The allegations of Paragraph 68 of the complaint are denied.
69. The allegations of Paragraph 6 of the complaint are admitted.
70. The allegations of Paragraph 70 of the complaint are denied.

71. The allegations of Paragraph 71 of the complaint are denied, for lack of information and belief.
72. The allegations of Paragraph 72 of the complaint are admitted except for the explanatory remarks about the medical finding of “diffuse edema of the vaginal walls.” That portion of Paragraph 72 is denied.
73. The allegations of Paragraph 73 of the complaint are denied, for lack of information and belief.
74. The allegations of Paragraph 74 of the complaint are denied, for lack of information and belief.
75. The allegations of Paragraph 75 of the complaint are admitted.
76. With respect to the allegations of Paragraph 76 of the complaint, it is admitted that the SBI crime lab found no evidence of semen or sperm on any of the samples, including those taken from Mangum’s mouth, vagina, and anus. Otherwise, the allegations of Paragraph 76 are denied.
77. With respect to the allegations of Paragraph 77 of the complaint, those in the first sentence are admitted, while those in the second sentence are denied.
78. The allegations of Paragraph 78 of the complaint are denied.
79. The allegations of Paragraph 79 of the complaint are denied, for lack of information and belief.

80. The allegations of Paragraph 80 of the complaint are denied, for lack of information and belief.
81. The allegations of Paragraph 81 of the complaint are admitted.
82. With respect to the allegations of Paragraph 82 of the complaint, it is admitted that the real property known as 610 North Buchanan Boulevard is in Trinity Park. Otherwise the allegations of Paragraph 82 of the complaint are denied for lack of information and belief.
83. The allegations of Paragraph 83 of the complaint are admitted.
84. With respect to the allegations of Paragraph 84 of the complaint, those in the first two sentences are admitted, while those in the third sentence are denied for lack of information and belief.
85. The allegations of Paragraph 85 of the complaint are denied.
86. The allegations of Paragraph 86 of the complaint are denied, for lack of information and belief.
87. With respect to the allegations of Paragraph 87 of the complaint, those in the first sentence are admitted, while those in the second sentence are denied for lack of information or belief.
88. The allegations of Paragraph 88 of the complaint are denied, for lack of information and belief.
89. The allegations of Paragraph 89 of the complaint are denied.
90. The allegations of Paragraph 90 of the complaint are denied for lack of information and belief.
91. The allegations of Paragraph 91 of the complaint are admitted.

92. The allegations of Paragraph 92 of the complaint are admitted.
93. The allegations of Paragraph 93 of the complaint are admitted.
94. The allegations of Paragraph 94 of the complaint are denied for lack of information and belief.
95. The allegations of Paragraph 95 of the complaint are denied for lack of information and belief.
96. The allegations of Paragraph 96 of the complaint are denied for lack of information and belief.
97. The allegations of Paragraph 97 of the complaint are denied for lack of information and belief.
98. The allegations of Paragraph 98 of the complaint are denied for lack of information and belief.
99. The allegations of Paragraph 99 of the complaint are denied.
100. The allegations of Paragraph 100 of the complaint are denied for lack of information and belief.
101. The allegations of Paragraph 101 of the complaint are denied.
102. The allegations of Paragraph 102 of the complaint are denied.
103. The allegations of Paragraph 103 of the complaint are denied.
104. The allegations of Paragraph 104 of the complaint are denied for lack of information and belief.
105. The allegations of Paragraph 105 of the complaint are admitted.
106. The allegations of Paragraph 106 of the complaint are denied.

107. The allegations of Paragraph 107 of the complaint are denied for lack of information and belief.
108. The allegations of Paragraph 108 of the complaint are denied.
109. The allegations of Paragraph 109 of the complaint are admitted.
110. The allegations of Paragraph 110 of the complaint are admitted.
111. The allegations of Paragraph 111 of the complaint are admitted.
112. The allegations of Paragraph 112 of the complaint are admitted except for the word “truthful.” That characterization is denied for lack of information and belief.
113. The allegations of Paragraph 113 of the complaint are admitted except for the characterization “mutually consistent.” We are unclear as to just what that means, and it seems redundant. Accordingly that characterization is denied for lack of information and belief.
114. The allegations of Paragraph 114 of the complaint are admitted except it is denied for lack of information or belief that Evans, Flannery, and Zash were kept at the station house until approximately 0200, that they offered to take a polygraph exam, and that their offers were declined.
115. With respect to the allegations in Paragraph 115 of the complaint it is admitted that Himan transported Evans, Zash, and Flannery to Duke, where they provided DNA and hair samples. It is denied, for lack of information and belief, that they were examined for evidence of scratches or other injuries consistent with an attack.

116. The allegations of Paragraph 116 of the complaint are denied for lack of information and belief.
117. The allegations of Paragraph 117 of the complaint are denied for lack of information and belief.
118. The allegations of Paragraph 118 of the complaint are denied.
119. The allegations of Paragraph 119 of the complaint are denied for lack of information and belief.
120. The allegations of Paragraph 120 of the complaint are admitted.
121. The allegations of Paragraph 121 of the complaint are admitted.
122. The allegations of Paragraph 122 of the complaint are admitted.
123. The allegations of Paragraph 120 of the complaint are denied.
124. The allegations of Paragraph 124 of the complaint are denied for lack of information and belief.
125. The allegations of Paragraph 125 of the complaint are admitted.
126. The allegations of Paragraph 126 of the complaint are denied.
Nifong and the Governor never discussed it.
127. With respect to the allegations of Paragraph 127 of the complaint, it is admitted that by March 2006 Nifong had decided to run for election. Otherwise the allegations of Paragraph 127 are denied.
Nifong's state pension is and remains fully vested.
128. With respect to the allegations of Paragraph 128 of the complaint, it is denied that Freda Black was highly regarded or was fired. She

- was given an opportunity to resign and did so. Otherwise the allegations of Paragraph 128 are admitted.
129. The allegations of Paragraph 129 of the complaint are admitted.
130. With respect to the allegations of Paragraph 130 of the complaint, it is admitted that Nifong immediately recognized that the investigation and any subsequent prosecution would garner significant media attention. Otherwise, the allegations of Paragraph 130 are denied.
131. The allegations of Paragraph 131 of the complaint are denied.
132. The allegations of Paragraph 132 of the complaint are denied.
133. The allegations of Paragraph 133 of the complaint are denied for lack of information and belief.
134. With respect to the allegations of Paragraph 134 of the complaint, it is denied that Nifong continued to direct or help direct the Durham Police investigation of Mangum's allegations. Otherwise the allegations of Paragraph 134 are admitted.
135. With respect to the allegations of Paragraph 135 of the complaint, it is admitted that Nifong assigned Wilson to assist with the investigation. The allegations in the second sentence of Paragraph 135 are denied, while those in the third sentence are denied for lack of information and belief.
136. The allegations of Paragraph 136 of the complaint are admitted.

137. With respect to the allegations of Paragraph 137 of the complaint, it is admitted that the evidence, including some inconsistencies, was discussed at the March 27 meeting. Otherwise the allegations of Paragraph 137 are denied.
138. The allegations of Paragraph 138 of the complaint are denied.
139. The allegations of Paragraph 139 of the complaint are denied.
140. The allegations of Paragraph 140 of the complaint are denied.
141. The allegations of Paragraph 141 of the complaint are denied.
142. The allegations of Paragraph 142 of the complaint are denied.
143. The allegations of Paragraph 143 of the complaint are denied, for lack of information or belief.
144. The allegations of Paragraph 144 of the complaint are admitted.
145. The allegations of Paragraph 145 of the complaint are admitted, except it is denied Nifong was trailing in the polls or that there were any polls.
146. The allegations of Paragraph 146 of the complaint are denied.
147. The allegations of Paragraph 147 of the complaint are denied.
148. The allegations of Paragraph 148 of the complaint are admitted.
149. The allegations of Paragraph 149 of the complaint are denied.
150. The opening allegations of Paragraph 150 of the complaint are denied.
- 150(a). The allegations of Paragraph 150(a) of the complaint are denied for lack of information or belief.

- 150(b). The allegations of Paragraph 150(b) of the complaint are admitted.
- 150(c). The allegations of Paragraph 150(c) of the complaint are admitted, except it is denied that “Nifong summarized his intention to prosecute regardless of what the evidence proved.”
151. The allegations of Paragraph 151 of the complaint are denied.
152. With respect to the allegations of Paragraph 152 of the complaint, it is admitted that this is essentially what the State Bar decided, but this defendant did not think so at the time.
153. The allegations of Paragraph 153 of the complaint are denied.
154. The allegations of Paragraph 154 of the complaint are denied.
155. The allegations of Paragraph 155 of the complaint are denied for lack of information and belief. The allegations of the final clause of the second sentence, beginning “continued to allow Nifong” are denied.
156. The allegations of Paragraph 156 of the complaint are denied for lack of information or belief.
157. The allegations of Paragraph 157 of the complaint are admitted.
158. The allegations of Paragraph 158 of the complaint are admitted.
159. The allegations of Paragraph 159 of the complaint are denied for lack of information or belief.
160. The allegations of Paragraph 160 of the complaint are denied for lack of information or belief.

161. The allegations of Paragraph 161 of the complaint are denied for lack of information or belief.
162. The allegations of Paragraph 162 of the complaint are denied.
163. The allegations of Paragraph 163 of the complaint are denied for lack of information or belief.
164. The allegations of Paragraph 164 of the complaint are denied for lack of information or belief. The allegations of the final clause of the second sentence, beginning “they would have to exclude,” are denied.
165. The allegations of Paragraph 165 of the complaint are admitted.
166. The allegations of Paragraph 166 of the complaint are admitted.
167. The allegations of Paragraph 157 of the complaint are admitted only as to what Meehan said, otherwise denied.
168. The allegations of Paragraph 168 of the complaint are admitted except as to the date, which is denied for lack of information and belief.
169. The allegations of Paragraph 169 of the complaint are admitted except as to the date, which is denied for lack of information and belief, and as to the second clause of the second sentence, which is denied.
170. The allegations of Paragraph 170 of the complaint are admitted except as to the date, which is denied for lack of information and belief.
171. The allegations of Paragraph 171 of the complaint are admitted.

172. The allegations of Paragraph 172 of the complaint are admitted.

173. The opening allegations of Paragraph 173 are denied.

173(a). The allegations of Paragraph 173(a) of the complaint are admitted.

173(b). The allegations of Paragraph 173(b) of the complaint are denied, for lack of information or belief.

173(c). The allegations of Paragraph 173(c) of the complaint are admitted.

174. The allegations of the first sentence of Paragraph 174 of the complaint are denied for lack of information or belief, while those in the second sentence are denied.

175. The allegations of Paragraph 175 of the complaint are denied as to what Nifong knew, and denied for lack of information or belief as to others.

176. The allegations of Paragraph 176 of the complaint are denied.

177. The allegations in the first sentence of Paragraph 177 of the complaint are admitted, while those in the second sentence are denied.

178. The allegations of Paragraph 178 of the complaint are denied for lack of information and belief.

179. The allegations of Paragraph 179 of the complaint are denied for lack of information and belief.

180. The allegations of Paragraph 180 of the complaint are denied.

181. The allegations of Paragraph 181 of the complaint are denied.
182. The allegations of Paragraph 182 of the complaint are denied for lack of information and belief.
183. The allegations of Paragraph 183 of the complaint are admitted.
184. The allegations of Paragraph 184 of the complaint are denied. The photo array was not intended as a lineup.
185. The allegations of Paragraph 185 of the complaint are admitted.
186. With respect to the allegations of Paragraph 186, it is admitted that Gottlieb conducted the photo array with Mangum on April 4, 2006. Otherwise the allegations of Paragraph 186 are denied for lack of information or belief.
187. The allegations of Paragraph 187 of the complaint are denied for lack of information and belief.
188. The allegations of Paragraph 188 of the complaint are denied for lack of information and belief.
189. The allegations of Paragraph 189 of the complaint are denied for lack of information and belief.
190. The allegations of Paragraph 190 of the complaint are denied for lack of information and belief.
191. The allegations of Paragraph 191 of the complaint are admitted.
192. The allegations of Paragraph 192 of the complaint are admitted.
193. The allegations of Paragraph 193 of the complaint are admitted.

194. The allegations of Paragraph 194 of the complaint are denied for lack of information and belief.
195. The allegations of Paragraph 195 of the complaint are denied.
196. The allegations of Paragraph 196 of the complaint are denied for lack of information and belief.
197. The allegations of Paragraph 197 of the complaint are denied, as they were indicted by action of the Grand Jury and arrested pursuant to that indictment.
198. The allegations of Paragraph 198 of the complaint are denied
199. Except for the first three words, “At Nifong’s direction,” the allegations of Paragraph 199 of the complaint are admitted.
200. The allegations of Paragraph 200 of the complaint are denied for lack of information and belief.
201. The allegations of Paragraph 201 of the complaint are admitted.
202. The allegations of Paragraph 202 of the complaint are admitted.
203. The allegations of Paragraph 203 of the complaint are denied for lack of information and belief.
204. The allegations of Paragraph 204 of the complaint are admitted.
205. The allegations of Paragraph 205 of the complaint are admitted.
206. The allegations of Paragraph 206 of the complaint are admitted.
207. The allegations of the first two sentences of Paragraph 207 of the complaint are admitted. The third sentence is denied.
208. The allegations of Paragraph 208 of the complaint are denied.

209. The allegations of Paragraph 209 of the complaint are denied.
210. The allegations of Paragraph 210 of the complaint are denied.
211. The allegations of Paragraph 211 of the complaint are denied.
212. The allegations of Paragraph 212 are admitted inasmuch as the Grand Jury found a true bill.
213. The allegations of Paragraph 213 of the complaint are admitted, inasmuch as the Grand Jury found a true bill.
214. The allegations of Paragraph 214 of the complaint are denied.
215. The allegations of Paragraph 215 of the complaint are denied.
216. The allegations of Paragraph 216 of the complaint are admitted.
217. The allegations of Paragraph 217 of the complaint are denied for lack of information and belief.
218. The allegations of Paragraph 218 of the complaint are denied.
219. The allegations of Paragraph 219 of the complaint are denied.
220. The allegations of Paragraph 220 of the complaint are denied.
221. The allegations of Paragraph 221 of the complaint are denied.
222. The allegations of Paragraph 222 of the complaint are denied.
223. The allegations of Paragraph 223 of the complaint are admitted.
- 224(a). The allegations of Paragraph 224(a) of the complaint are denied.
- The information was not reported until the third meeting.
- 224(b). The allegations of Paragraph 224(b) of the complaint are admitted.

224(c). With respect to the allegations of Paragraph 224(c) of the complaint, it is admitted only that Nifong was told the preliminary results showed DNA consistent with Evans, but that the testing was not yet completed. The information concerning the 14 other men was reported at the third meeting.

224(d). The allegations of Paragraph 224(d) are admitted.

225. The allegations of Paragraph 225 of the complaint are denied.

226. The allegations of Paragraph 226 of the complaint are denied.

227. The allegations of Paragraph 227 of the complaint are denied.

228. The allegations of Paragraph 228 of the complaint are denied.

229. The allegations of Paragraph 229 of the complaint are admitted.

230. The allegations of Paragraph 230 of the complaint are admitted.

231. The allegations of Paragraph 231 of the complaint are denied.

232. The allegations of Paragraph 232 of the complaint are denied.

233. The allegations of Paragraph 233 of the complaint are admitted.

234. The allegations of Paragraph 234 of the complaint are denied.

235. The allegations of Paragraph 235 of the complaint are denied.

236. The allegations of Paragraph 236 of the complaint are denied.

237. The allegations of Paragraph 237 of the complaint are denied.

238. The allegations of Paragraph 238 of the complaint are denied.

239. The allegations of Paragraph 239 of the complaint are denied.

240. The allegations of Paragraph 240 of the complaint are denied.

241. The allegations of Paragraph 241 of the complaint are denied.

242. The allegations of Paragraph 242 of the complaint are denied.
243. The allegations of Paragraph 243 of the complaint are denied.
244. The allegations of Paragraph 244 of the complaint are denied.
245. The allegations of Paragraph 245 of the complaint are denied.
246. The allegations of Paragraph 246 of the complaint are admitted, except that Nifong requested, not directed.
247. The allegations of Paragraph 247 of the complaint are denied.
248. The allegations of Paragraph 248 of the complaint are denied.
249. The allegations of Paragraph 249 of the complaint are denied for lack of information and belief.
250. The allegations of Paragraph 250 of the complaint are denied for lack of information and belief.
251. The allegations of Paragraph 251 of the complaint are denied for lack of information and belief.
252. The allegations of Paragraph 252 of the complaint are denied.
253. The allegations of Paragraph 253 of the complaint are denied.
254. The allegations of Paragraph 254 of the complaint are denied.
255. The allegations of Paragraph 255 of the complaint are denied.
256. The allegations of Paragraph 256 of the complaint are denied for lack of information and belief.
257. The allegations of Paragraph 257 of the complaint are denied.
258. The allegations of Paragraph 258 of the complaint are denied.
259. The allegations of Paragraph 259 of the complaint are admitted.

260. The allegations of Paragraph 260 of the complaint are denied.
261. The allegations of Paragraph 261 of the complaint are denied.
262. The allegations of Paragraph 262 of the complaint are denied.
263. The allegations of Paragraph 263 of the complaint are denied for lack of information and belief.
264. The allegations of Paragraph 264 of the complaint are denied.
265. The allegations of Paragraph 265 of the complaint are denied for lack of information and belief.
266. The allegations of Paragraph 266 of the complaint are denied for lack of information and belief.
267. The allegations of Paragraph 267 of the complaint are denied.
268. The allegations of Paragraph 268 of the complaint are denied.
269. The allegations of Paragraph 269 of the complaint are denied for lack of information and belief.
270. The allegations of Paragraph 270 of the complaint are denied.
271. The allegations of Paragraph 271 of the complaint are denied.
272. The allegations of Paragraph 272 of the complaint are denied.
273. The allegations of Paragraph 273 of the complaint are denied.
274. The allegations of Paragraph 274 of the complaint are denied, except that the first sentence is admitted.
275. The allegations of Paragraph 275 of the complaint are denied for lack of information and belief.
276. The allegations of Paragraph 276 of the complaint are denied.

277. The allegations of Paragraph 277 of the complaint are denied for lack of information and belief.
278. The allegations of Paragraph 278 of the complaint are denied.
279. The allegations of Paragraph 279 of the complaint are denied.
280. The allegations of Paragraph 280 of the complaint are admitted.
281. The allegations of Paragraph 281 of the complaint are admitted.
282. The allegations of Paragraph 280 of the complaint are admitted except as to “falsely”.
283. The allegations of Paragraph 283 of the complaint are admitted.
284. The allegations of Paragraph 284 of the complaint are admitted.
285. The allegations of Paragraph 285 of the complaint are denied.
286. The allegations of Paragraph 286 of the complaint are admitted.
287. The allegations of Paragraph 287 of the complaint are admitted except as to “falsely”.
288. The allegations of Paragraph 288 of the complaint are denied.
289. The allegations of Paragraph 289 of the complaint are admitted.
290. The allegations of Paragraph 290 of the complaint are admitted.
291. The allegations of Paragraph 291 of the complaint are denied.
292. The allegations of Paragraph 292 of the complaint are admitted.
293. The allegations of Paragraph 293 of the complaint are admitted.
294. The allegations of Paragraph 294 of the complaint are admitted.
295. The allegations of Paragraph 295 of the complaint are denied.
296. The allegations of Paragraph 296 of the complaint are denied.

297. The allegations of Paragraph 297 of the complaint are admitted.
298. The allegations of Paragraph 298 of the complaint are admitted.
299. The allegations of Paragraph 299 of the complaint are admitted.
300. The allegations of Paragraph 300 of the complaint are admitted.
301. The allegations of Paragraph 301 of the complaint are denied.
302. It is admitted that 1844 pages were provided on October 27, 2006,
otherwise denied.
303. The allegations of Paragraph 303 of the complaint are denied for
lack of information or belief.
304. The allegations of Paragraph 304 of the complaint are admitted.
305. The allegations of Paragraph 305 of the complaint are denied.
306. The allegations of Paragraph 306 of the complaint are admitted.
307. The allegations of Paragraph 307 of the complaint are denied for
lack of information or belief.
308. The allegations of Paragraph 308 of the complaint are denied.
309. The allegations of Paragraph 309 of the complaint are denied.
310. The allegations of Paragraph 310 of the complaint are denied.
311. The allegations of Paragraph 311 of the complaint are denied.
Wilson was not a Durham Police Department employee.
312. The allegations of Paragraph 312 of the complaint are admitted.
313. The allegations of Paragraph 313 of the complaint are denied for
lack of information or belief.
314. The allegations of Paragraph 314 of the complaint are denied.

315. Admitted except for everything following “rape”.
316. The allegations of Paragraph 316 of the complaint are admitted.
317. The allegations of Paragraph 317 of the complaint are denied.
318. The allegations of Paragraph 318 of the complaint are denied for lack of information or belief.
319. The allegations of Paragraph 319 of the complaint are admitted.
320. The allegations of Paragraph 320 of the complaint are admitted.
321. The allegations of Paragraph 320 of the complaint are denied for lack of information or belief.
322. The allegations of Paragraph 322 of the complaint are denied for lack of information or belief.
323. The allegations of Paragraph 323 of the complaint are denied for lack of information or belief.
324. The allegations of Paragraph 324 of the complaint are admitted.
325. The allegations of Paragraph 325 of the complaint are admitted.
326. The allegations of Paragraph 326 of the complaint are admitted.
327. The allegations of Paragraph 327 of the complaint are admitted.
328. The allegations of Paragraph 328 of the complaint are admitted.
329. We incorporate by reference Paragraphs 1-328 above.
330. The allegations of Paragraph 330 of the complaint are admitted.
331. The allegations of Paragraph 331 of the complaint are admitted.
332. The allegations of Paragraph 332 of the complaint are denied.
333. The allegations of Paragraph 333 of the complaint are admitted.

334. The allegations of Paragraph 334 of the complaint are denied.

335. The allegations of Paragraph 335 of the complaint are denied.

336. The allegations of Paragraph 336 of the complaint are denied.

337. The allegations of Paragraph 337 of the complaint are denied.

338. We incorporate by reference Paragraph 1-337 above.

339. The allegations of Paragraph 339 of the complaint are admitted.

340. The allegations of Paragraph 340 of the complaint are denied.

341. The allegations of Paragraph 341 of the complaint are denied.

342. The allegations of Paragraph 342 of the complaint are denied.

343. The allegations of Paragraph 343 of the complaint are denied.

344. The allegations of Paragraph 344 of the complaint are denied.

345. The allegations of Paragraph 345 of the complaint are denied.

346. The allegations of Paragraph 346 of the complaint are denied.

347. The allegations of Paragraph 347 of the complaint are denied.

348. The allegations of Paragraph 348 of the complaint are denied.

349. The allegations of Paragraph 349 of the complaint are denied.

350. We incorporate by reference Paragraphs 1-349 above.

351. The allegations of Paragraph 351 of the complaint are admitted.

352. The allegations of Paragraph 352 of the complaint are denied.

353. The allegations of Paragraph 353 of the complaint are denied.

354. The allegations of Paragraph 354 of the complaint are denied.

355. The allegations of Paragraph 355 of the complaint are denied.

356. The allegations of Paragraph 356 of the complaint are denied.

357. The allegations of Paragraph 357 of the complaint are denied.

358. The allegations of Paragraph 358 of the complaint are denied.

359. We incorporate by reference Paragraphs 1-358 above.

360. The allegations of Paragraph 360 of the complaint are admitted.

361. The allegations of Paragraph 361 of the complaint are denied for lack of information or belief.

362. The allegations of Paragraph 362 of the complaint are denied for lack of information or belief.

363. The allegations of Paragraph 363 of the complaint are denied as to “falsely,” otherwise admitted.

364. The allegations of Paragraph 364 of the complaint are denied for lack of information or belief.

365. The allegations of Paragraph 365 of the complaint are denied.

366. The allegations of Paragraph 366 of the complaint are denied.

367. The allegations of Paragraph 367 of the complaint are denied.

368. The allegations of Paragraph 368 of the complaint are denied.

369. The allegations of Paragraph 369 of the complaint are denied.

370. The allegations of Paragraph 370 of the complaint are denied.

371. We incorporate by reference Paragraphs 1-370 above.

372. The allegations of Paragraph 372 of the complaint are admitted.

373. The allegations of Paragraph 373 of the complaint are denied.

374. The allegations of Paragraph 374 of the complaint are denied.

375. The allegations of Paragraph 375 of the complaint are denied.

376. The allegations of Paragraph 376 of the complaint are denied.

377. The allegations of Paragraph 370 of the complaint are denied.

378. The allegations of Paragraph 378 of the complaint are denied.

379. The allegations of Paragraph 379 of the complaint are denied.

380. The allegations of Paragraph 380 of the complaint are denied.

381. The allegations of Paragraph 381 of the complaint are denied.

382. The allegations of Paragraph 382 of the complaint are denied.

383. The allegations of Paragraph 383 of the complaint are denied.

384. The allegations of Paragraph 384 of the complaint are denied.

385. The allegations of Paragraph 385 of the complaint are denied.

386. The allegations of Paragraph 386 of the complaint are denied.

387. The allegations of Paragraph 387 of the complaint are denied.

388. The allegations of Paragraph 388 of the complaint are denied.

389. The allegations of Paragraph 389 of the complaint are denied.

390. The allegations of Paragraph 390 of the complaint are denied.

391. The allegations of Paragraph 391 of the complaint are denied.

392. The allegations of Paragraph 392 of the complaint are denied.

393. The allegations of Paragraph 393 of the complaint are denied.

394. The allegations of Paragraph 394 of the complaint are denied.

395. The allegations of Paragraph 395 of the complaint are denied.

396. The allegations of Paragraph 396 of the complaint are denied.

397. The allegations of Paragraph 397 of the complaint are denied.

398. The allegations of Paragraph 398 of the complaint are denied.

399. The allegations of Paragraph 399 of the complaint are denied.

400. The allegations of Paragraph 400 of the complaint are denied.

401. The allegations of Paragraph 401 of the complaint are denied.

402. The allegations of Paragraph 402 of the complaint are denied.

403. The allegations of Paragraph 403 of the complaint are denied.

404. The allegations of Paragraph 404 of the complaint are denied.

405. The allegations of Paragraph 405 of the complaint are denied.

406. The allegations of Paragraph 406 of the complaint are denied.

407. The allegations of Paragraph 407 of the complaint are denied.

408. We incorporate by reference Paragraphs 1-407 above.

409. The allegations of Paragraph 409 of the complaint are admitted.

410. The allegations of Paragraph 410 of the complaint are denied.

411. The allegations of Paragraph 411 of the complaint are denied.

412. The allegations of Paragraph 412 of the complaint are denied.

413. The allegations of Paragraph 413 of the complaint are denied.

414. The allegations of Paragraph 414 of the complaint are denied.

415. The allegations of Paragraph 415 of the complaint are denied.

416. The allegations of Paragraph 416 of the complaint are denied.

417. The allegations of Paragraph 417 of the complaint are denied.

418. The allegations of Paragraph 418 of the complaint are denied.

419. The allegations of Paragraph 419 of the complaint are denied.

420. The allegations of Paragraph 420 of the complaint are denied.

421. The allegations of Paragraph 421 of the complaint are denied.

422. The allegations of Paragraph 422 of the complaint are denied.

423. The allegations of Paragraph 423 of the complaint are denied.

424. The allegations of Paragraph 424 of the complaint are denied.

425. The allegations of Paragraph 425 of the complaint are denied.

426. The allegations of Paragraph 426 of the complaint are denied.

427. The allegations of Paragraph 427 of the complaint are denied.

428. The allegations of Paragraph 428 of the complaint are denied.

429. The allegations of Paragraph 429 of the complaint are denied.

430. The allegations of Paragraph 430 of the complaint are denied.

431. The allegations of Paragraph 431 of the complaint are denied.

432. The allegations of Paragraph 432 of the complaint are denied.

433. The allegations of Paragraph 407 of the complaint are denied.

434. The allegations of Paragraph 434 of the complaint are denied.

435. The allegations of Paragraph 435 of the complaint are denied.

436. The allegations of Paragraph 436 of the complaint are denied.

437. We incorporate by reference Paragraphs 1-436 above.

438. The allegations of Paragraph 438 of the complaint are admitted.

439. The allegations of Paragraph 439 of the complaint are denied.

440. The allegations of Paragraph 440 of the complaint are denied.

441. The allegations of Paragraph 441 of the complaint are denied.

442. The allegations of Paragraph 442 of the complaint are denied.

443. The allegations of Paragraph 443 of the complaint are denied.

444. The allegations of Paragraph 444 of the complaint are denied.

445. We incorporate by reference Paragraphs 1-444 above.

446. The allegations of Paragraph 446 of the complaint are admitted.

447. The allegations of Paragraph 447 of the complaint are denied.

448. The allegations of Paragraph 448 of the complaint are denied.

449. The allegations of Paragraph 449 of the complaint are denied.

450. The allegations of Paragraph 450 of the complaint are denied.

451. The allegations of Paragraph 451 of the complaint are denied.

452. The allegations of Paragraph 452 of the complaint are denied.

453. We incorporate by reference Paragraphs 1-452 above.

454. The allegations of Paragraph 454 of the complaint are admitted.

455. The allegations of Paragraph 455 of the complaint are denied.

456. The allegations of Paragraph 456 of the complaint are denied.

457. The allegations of Paragraph 457 of the complaint are denied.

458. The allegations of Paragraph 458 of the complaint are denied.

459. The allegations of Paragraph 459 of the complaint are denied.

460. We incorporate by reference Paragraphs 1-459 above.

461. The allegations of Paragraph 464 of the complaint are admitted.

462. The allegations of Paragraph 462 of the complaint are denied.

463. The allegations of Paragraph 463 of the complaint are denied.

464. The allegations of Paragraph 464 of the complaint are denied.

465. The allegations of Paragraph 465 of the complaint are denied.

466. The allegations of Paragraph 466 of the complaint are denied.

467. The allegations of Paragraph 467 of the complaint are denied.

468. We incorporate by reference Paragraphs 1-467 above.

469. The allegations of Paragraph 469 of the complaint are admitted.

470. The allegations of Paragraph 470 of the complaint are denied.

471. The allegations of Paragraph 471 of the complaint are denied.

472. The allegations of Paragraph 472 of the complaint are denied.

473. The allegations of Paragraph 473 of the complaint are denied.

474. The allegations of Paragraph 474 of the complaint are denied.

475. The allegations of Paragraph 475 of the complaint are denied.

476. The allegations of Paragraph 476 of the complaint are denied.

477. We incorporate by reference Paragraphs 1-476 above.

478. The allegations of Paragraph 478 of the complaint are admitted.

479. The allegations of Paragraph 479 of the complaint are denied.

480. The allegations of Paragraph 480 of the complaint are denied.

481. The allegations of Paragraph 481 of the complaint are denied.

482. The allegations of Paragraph 482 of the complaint are denied.

483. The allegations of Paragraph 483 of the complaint are denied.

484. The allegations of Paragraph 484 of the complaint are denied.

485. The allegations of Paragraph 485 of the complaint are denied.

486. We incorporate by reference Paragraphs 1-485 above.

487. The allegations of Paragraph 487 of the complaint are denied.

488. The allegations of Paragraph 488 of the complaint are denied.

489. The allegations of Paragraph 489 of the complaint are denied.

490. The allegations of Paragraph 490 of the complaint are denied.

491. The allegations of Paragraph 491 of the complaint are denied.

492. The allegations of Paragraph 492 of the complaint are denied.

493. The allegations of Paragraph 493 of the complaint are denied.

494. The allegations of Paragraph 494 of the complaint are denied.

495. The allegations of Paragraph 495 of the complaint are denied.

496. The allegations of Paragraph 496 of the complaint are denied.

497. The allegations of Paragraph 497 of the complaint are denied.

498. We incorporate by reference Paragraphs 1-497 above.

499. The allegations of Paragraph 499 of the complaint are denied.

500. The allegations of Paragraph 500 of the complaint are denied.

501. The allegations of Paragraph 501 of the complaint are denied.

502. The allegations of Paragraph 502 of the complaint are denied.

503. The allegations of Paragraph 503 of the complaint are denied.

504. The allegations of Paragraph 504 of the complaint are denied.

505. The allegations of Paragraph 505 of the complaint are denied.

506. The allegations of Paragraph 506 of the complaint are denied.

507. The allegations of Paragraph 507 of the complaint are denied.

508. We incorporate by reference Paragraphs 1-507 above.

509. The allegations of Paragraph 509 of the complaint are denied.

510. The allegations of Paragraph 510 of the complaint are denied.

511. The allegations of Paragraph 511 of the complaint are denied.

512. The allegations of Paragraph 512 of the complaint are denied.

513. The allegations of Paragraph 513 of the complaint are denied.

514. The allegations of Paragraph 514 of the complaint are denied.

515. The allegations of Paragraph 515 of the complaint are denied.

516. The allegations of Paragraph 516 of the complaint are denied.

517. The allegations of Paragraph 517 of the complaint are denied.

518. We incorporate by reference Paragraphs 1-517 above.

519. The allegations of Paragraph 519 of the complaint are denied.

520. The allegations of Paragraph 520 of the complaint are denied.

521. The allegations of Paragraph 521 of the complaint are denied.

522. The allegations of Paragraph 522 of the complaint are denied.

523. The allegations of Paragraph 523 of the complaint are denied.

524. We incorporate by reference Paragraphs 1-523 above.

525. The allegations of Paragraph 525 of the complaint are denied.

526. The allegations of Paragraph 526 of the complaint are denied.

527. The allegations of Paragraph 527 of the complaint are denied.

528. The allegations of Paragraph 528 of the complaint are denied.

529. The allegations of Paragraph 529 of the complaint are denied.

530. The allegations of Paragraph 530 of the complaint are denied.

531. The allegations of Paragraph 531 of the complaint are denied.

532. The allegations of Paragraph 532 of the complaint are denied.

533. We incorporate by reference Paragraphs 1-532 above.

534. The allegations of Paragraph 534 of the complaint are denied.

535. The allegations of Paragraph 532 of the complaint are denied.

536. The allegations of Paragraph 536 of the complaint are denied.

537. The allegations of Paragraph 537 of the complaint are denied.

538. The allegations of Paragraph 538 of the complaint are denied.

539. We incorporate by reference Paragraphs 1-538 above.

540. The allegations of Paragraph 540 of the complaint are denied.

541. The allegations of Paragraph 541 of the complaint are denied.

542. The allegations of Paragraph 542 of the complaint are denied.

543. The allegations of Paragraph 543 of the complaint are denied.

544. The allegations of Paragraph 544 of the complaint are denied.

545. We incorporate by reference Paragraphs 1-544 above.

546. The allegations of Paragraph 546 of the complaint are denied.

547. The allegations of Paragraph 547 of the complaint are denied.

548. The allegations of Paragraph 548 of the complaint are denied.

549. The allegations of Paragraph 549 of the complaint are denied.

550. The allegations of Paragraph 550 of the complaint are denied.

551. The allegations of Paragraph 551 of the complaint are denied.

552. The allegations of Paragraph 552 of the complaint are denied.

553. The allegations of Paragraph 553 of the complaint are denied.

554. The allegations of Paragraph 554 of the complaint are denied.

555. We incorporate by reference Paragraphs 1-554 above.

556. The allegations of Paragraph 556 of the complaint are denied.

557. The allegations of Paragraph 557 of the complaint are denied.

558. The allegations of Paragraph 558 of the complaint are denied.

559. The allegations of Paragraph 559 of the complaint are denied.

560. The allegations of Paragraph 560 of the complaint are denied.

561. We incorporate by reference Paragraphs 1-560 above.

562. The allegations of Paragraph 562 of the complaint are denied.

563. The allegations of Paragraph 563 of the complaint are denied.

564. The allegations of Paragraph 564 of the complaint are denied.

565. The allegations of Paragraph 565 of the complaint are denied.

566. The allegations of Paragraph 566 of the complaint are denied.

567. We incorporate by reference Paragraphs 1-566 above.

568. The allegations of Paragraph 568 of the complaint are denied.

569. The allegations of Paragraph 569 of the complaint are denied.

570. The allegations of Paragraph 570 of the complaint are denied.

571. No answer or response is required to Paragraph 571.

WHEREFORE the defendant Michael B. Nifong, by his counsel,
respectfully prays the Court that the plaintiffs recover nothing of him.

Respectfully submitted,

/s/ James B. Craven III
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Attorney for Michael B. Nifong
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CERTIFICATE OF SERVICE

I have this day served counsel for all other parties to this civil action electronically.

This 3rd day of April 2014.

/s/ James B. Craven III
James B. Craven III